

REMARKS

This Application has been carefully reviewed in light of the Final Official Action mailed May 8, 2002. Applicant respectfully requests reconsideration and favorable action in this case.

Claims 1-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Amini, et al. in view of Trantanella. Applicant respectfully traverses this rejection.

The Amini, et al. patent is directed to an arbitration mechanism for a multiple bus computer system that includes several devices attached to a PCI bus that generate bus access requests for and receive bus access grants from a system arbitration control point. The Trantanella patent is directed to a modular system design where all the interface units are tied to the common bus lines so that all devices associated with the interface units can freely communicate with each other without using request and grant signaling for bus access. There is no disclosure or suggestion in either of these two references which allows them to be combined in the manner proposed by the Examiner. Absent such a disclosure or suggestion, a person skilled in the art looking for a solution to the problem of controlling access to a bus would hardly be disposed on any objective basis to consider the PCI bus request and grant system of the Amini, et al. patent with the Trantanella patent which is concerned only with free communication access of devices on a common bus and shows absolutely no recognition of the problem for controlling access to a bus let alone any structure capable of solving such problem. Thus, the Trantanella patent teaches away from bus access control in the manner provided by the Amini, et al. patent. Further, the Examiner has merely provided a subjective "it would have been obvious" conclusory basis to support the proposed combination without citing any objective

language from either reference that supports the proposed combination. Thus, the Examiner has failed to show any capability that these references can be combined as has been proposed. Therefore, Applicant respectfully submits that the Examiner has improperly combined the Amini, et al. and Trantanella patents.

Moreover, even if the references were capable of being combined, the structure that would result from the proposed combination does not meet the terms of the claimed invention. Independent Claims 1 and 11 recite in general the use of a switch to enable access to a bus in response to a control signal. By contrast, the Examiner readily admits that the Amini, et al. patent is silent on the use of a switch to enable bus access. The Examiner cites the Trantanella patent to support the use of a switch to enable bus access. The Examiner states that Figure 3 of the Trantanella patent includes switches to enable access to a bus in response to a control signal. However, there are no such switches illustrated in Figure 3 of the Trantanella patent. The Trantanella patent merely shows input/output buffers with gated amplifiers tied to the bus lines for signal output and signal inputs tied directly to the common bus lines. The interface units of the Trantanella patent are connected directly to the bus without any intermediate enabling switch or any internal enabling switches. Thus, output signals and input signals are directly tied to bus lines and are always accessible on the bus lines without being controlled by any enabling switches. The proposed combination would still lack enabling switches to control access to a bus as provided in the claimed invention. Since the Trantanella patent has no disclosure with respect to an enabling switch, the Examiner does not have a reference combinable with the Amini, et al. patent as the Amini, et al. patent by itself is insufficient

to support a rejection of the claimed invention. Therefore, Applicant respectfully submits that Claims 1-20 are patentably distinct from the proposed Amini, et al. - Trantanella combination.

Applicant notes that the Examiner merely states that the limitations of each and every claim are found in the cited references but still fails to specifically cite where within the cited references each limitation is disclosed. For example, Claims 6 and 12 provide for simultaneous bus access by two or more devices. Nowhere in the Amini, et al. or Trantanella patents does the Examiner cite any disclosure to support this limitation. Therefore, Applicant respectfully requests the Examiner in the future to provide proper and complete examinations by showing where each and every element of each and every claim, including the dependent claims, might be disclosed in the prior art.

Applicant has now made an earnest attempt to place this case in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests full allowance of Claims 1-20.

This Response to Examiner's Final Action is necessary to address the new grounds of rejection and newly cited art presented by the Examiner. This Response to Examiner's Action could not have been presented earlier as the Examiner has only now for the first time raised the new grounds for rejection and provided the newly cited art in support thereof.

The Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.

Attorneys for Applicant

A handwritten signature in black ink, appearing to read "Charles S. Fish", with a stylized flourish at the end.

Charles S. Fish

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